



# City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## **STAFF**

M. Christopher Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **City Council Meeting Agenda Agenda de la reunión del Ayuntamiento**

**Notice is hereby given of a regular meeting of the City Council of West University Place** to be held on **Monday, February 13, 2017** beginning at **6:30 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items.

**Se da aviso de una reunión regular del Ayuntamiento de West University Place** que se llevará a cabo **el lunes 13 de febrero de 2017** a partir de las **6:30 pm** en el **Edificio Municipal** ubicado en 3800 University Boulevard, West University Place, Texas, para el Los siguientes puntos del orden del día.

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

Nota: Todos los temas de la agenda están sujetos a acción. El Ayuntamiento se reserva el derecho de reunirse en sesión cerrada en cualquier punto del orden del día si fuera necesario y, en su caso, de acuerdo con la autorización del Título 5, Capítulo 551, del Código del Gobierno de Texas.

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## **CALL TO ORDER**

Agenda items are as follows:

Call to Order  
Pledge of Allegiance  
Matters related to the notice of this meeting

### **1. Public Comments**

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further

comment before the Council during the meeting. Speakers are required to register in advance and must limit their presentations to three minutes each.

**2. Joint Public Hearing with Zoning and Planning Commission**

Matters related a joint public hearing with the Zoning and Planning Commission to review and discuss possible amendments to the zoning ordinance regarding the minimum number of parking spaces required in the Town Center Commercial District. *Recommended Action: Hold Public Hearing. Ms. Debbie Scarcella, City Planner and Mr. Richard Wilson, ZPC Chair* [see Agenda Memo 3]

**3. Joint Public Hearing with Zoning and Planning Commission**

Matters related to a joint public hearing with the Zoning and Planning Commission to review and discuss possible amendments to the Zoning Ordinance regarding building site designations; the definition of school use; curb cuts; and through lots. *Recommended Action: Hold Public Hearing. Ms. Debbie Scarcella, City Planner and Mr. Richard Wilson, ZPC Chair* [see Agenda Memo 2]

**4. Quiet Hours Ordinance**

Matters related to Ordinance 1779 regarding quiet hours. *Recommended Action: Discuss and take any desired action. Mr. Brennan Reilly, Councilmember*

**5. Amending Section 2-133 of the Code of Ordinances**

Matters related to an ordinance amending Section 2-133 of the Code of Ordinances to change City Treasurer to Finance Director. *Recommended Action: Approve ordinance amending Section 2-133 of the Code of Ordinance to change City Treasurer to Finance Director. Ms. Claire Bogard, Interim Finance Director* [see Agenda Memo 5]

**6. Signatories on City Accounts**

Matters related to approving a resolution authorizing signatories on City accounts. *Recommended action: Approve resolution designating the authorized signatories on the City's accounts. Ms. Claire Bogard, Interim Finance Director* [see Agenda Memo 6]

**7. Future Agenda Items**

Matters related to future agenda items. *Recommended Action: Discuss and take any desired action. City Council* [see Future Agenda Items List]

**8. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve City Council Minutes of January 23, 2017. *Recommended Action: Approve Minutes. Ms. Thelma Gilliam, City Secretary*

**B. Ordinance Calling the May 6, 2017 Election**

Matters related to the 2017 election, including designating election precincts and the polling place. *Recommended Action: Approve ordinance calling the May 6, 2017 Election on the second and final reading. Ms. Thelma A. Gilliam, City Secretary* [see Agenda Memo 8B]

**Ordenanza por la que se convoca la elección del 6 de mayo de 2017**

Asuntos relacionados con la elección de 2017, incluyendo la designación de los recintos electorales y el lugar de votación. Acción recomendada: Aprobar la ordenanza de convocatoria

de la elección del 6 de mayo de 2017 en la segunda y última lectura. Sra. **Thelma A. Gilliam, Secretaria de la Ciudad** [véase Memoria del Programa 8B]

**C. Investment Policy**

Matters related to a resolution changing signature information for the City's Investment Policy.  
*Recommended Action: Approve resolution authorizing changes in signatories for the City's Investment Policy. Mr. Wally Waits, Treasurer* [see Agenda Memo 8C]

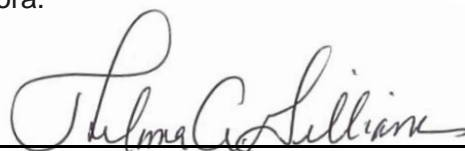
**9. Adjourn**

**In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.**

De conformidad con la Ley de Estadounidenses con Discapacidades, si usted planea asistir a esta reunión pública y tiene una discapacidad que requiere arreglos especiales, comuníquese con la Secretaria de la Ciudad Thelma Gilliam al 713.662.5813 por lo menos 24 horas antes de la reunión para que acomodaciones razonables. Para ayudar en su participación en la reunión. Las cámaras del consejo son silla de rueda accesible de la entrada del oeste y los espacios de estacionamiento especialmente marcados están disponibles en el área del estacionamiento del sudoeste. Asientos especiales serán proporcionados.

I certify that the attached amended notice and agenda of items to be considered by the West University Place City Council on February 13, 2017 was posted on the Municipal Building bulletin board on February 9, 2017 at approximately 3:30 o'clock p.m.

Yo certifico que el aviso enmendado adjunto y la agenda de los asuntos a ser considerados por el Ayuntamiento de West University Place en enero de 2017 fue publicado en el tablón de anuncios del Edificio Municipal en enero de 2017 aproximadamente a la hora.



Thelma A. Gilliam, City Secretary  
Thelma A. Gilliam, Secretaria Municipal

(SEAL)  
(SELLO)

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 13, 2017	<b>AGENDA ITEM:</b>	2
<b>DATE SUBMITTED:</b>	February 13, 2017	<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	Debbie Scarcella, City Planner	<b>PRESENTER:</b>	R. Wilson, Zoning and Planning Commission Chair D. Beach, Public Works Director
<b>SUBJECT:</b>	Joint Public Hearing Regarding Minimum Number of Proposed Parking Spaces in the Town Center Commercial District.		
<b>ATTACHMENTS:</b>	Ordinance Number 2025		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

A review of the 2015 enacted zoning provisions establishing the Town Center Commercial (TCC) zoning district, with a special emphasis on the parking regulations, is a stated goal of City Council.

Over the last year, the Zoning and Planning Commission (ZPC) has been discussing and reviewing the new ordinance and evaluating different ratios in order to keep the current parking issues manageable for all parties. The ZPC consulted a traffic engineer, staff conducted a parking inventory study, as well as looking at parking tables and ratios from other cities with similar parking issues to evaluate available options.

After much deliberation, the ZPC ultimately determined that the minimum number of parking spaces for new construction in the TCC district should be 7.5 spaces per 1,000 square foot for any food service establishment with dine in or outdoor eating areas and 2.5 spaces per 1,000 square foot for all other use categories. These proposed ratios are more than the parking ratios enacted in 2015 of 2.6 spaces per 1,000 feet, but less than the parking ratios prior to 2015 of 10 spaces per 1,000 square feet for food service, 5 spaces per 1,000 square feet for retail and 4 spaces per 1,000 square feet for office.

**RECOMMENDATION**

The Zoning and Planning Commission and staff recommend holding a Joint Public Hearing to obtain additional public input regarding the proposal.

**City of West University Place  
Harris County, Texas**

Ordinance No. 2025

**AN ORDINANCE CALLING A JOINT PUBLIC HEARING ON A PROPOSAL TO AMEND THE ZONING ORDINANCE AND CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS BY CHANGING THE MINIMUM NUMBER OF REQUIRED PARKING SPACES IN THE TOWN CENTER COMMERCIAL DISTRICT (TCC"); PRESCRIBING PROCEDURES AND NOTICES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

WHEREAS, the Zoning and Planning Commission ("Z&PC") of the City of West University Place, Texas ("City") has submitted a preliminary report on a proposal to amend the zoning ordinance of the City, as last reformatted and re-adopted by Ordinance No. 1672, adopted March 12, 2001, and as amended thereafter ("Zoning Ordinance"); and

WHEREAS, the preliminary report also proposes an amendment to the Code of Ordinances of the City regarding changes in the number of minimum required parking spaces; and

WHEREAS, the Z&PC's preliminary report is attached to this ordinance as Exhibit A and made a part of this ordinance by reference; and

WHEREAS, the City Council desires to call a joint public hearing on such proposal;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE:**

**Section 1.** The City Council hereby calls a joint public hearing before the City Council and Z&PC on the proposal described in Exhibit A. Unless rescheduled, the hearing shall be held in the Council Chamber of the Municipal Building, 3800 University Boulevard, West University Place, Texas 77005 during the City Council meeting set to begin at 6:30 p.m. on 1/23/17. The hearing may be recessed and continued from time to time. The City Manager may reschedule either date and time, or both, to accommodate other pending matters, but the rescheduled date(s) and time(s) may not be later than 30 days past the date set by this ordinance.

**Section 2.** The purpose for the hearing is to provide an opportunity for parties in interest and citizens to be heard in relation to the proposal described in Exhibit A. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** The procedures for adoption of the proposal shall be as follows: (1) notice as required by this ordinance, (2) hearing as called by this ordinance, (3) report by the Z&PC, and (4) vote by the City Council on the question of adoption. The procedures for enforcing the proposal shall be as set out in the existing Zoning Ordinance. The proposal described in Exhibit A is hereby submitted and re-submitted to the Z&PC for its consideration.

**Section 4.** The City Secretary shall give notice of such hearing as prescribed by this section. The notice shall be in substantially the form set out in Exhibit B, which is attached and made a part of this ordinance by reference. The notice shall be published in the City's official newspaper (or another newspaper of general circulation in the City) at least once on or before the 16th day preceding the date of the hearing. In addition, the notice shall be mailed to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed. The notices may be included within the *City Currents* newsletter or with utility bills or may be separate. The notices shall be deposited in the United States mail before the ninth day preceding the date of the hearing, properly addressed with postage prepaid. The City Council specifically approves giving combined notice of two or more hearings in a single notice document, as this would save money and also provide better information about the full scope of possible amendments to all interested persons.

**Section 5.** The City staff is authorized to make all necessary arrangements for the hearing and to assist the Zoning and Planning Commission and the City Council.

**Section 6.** If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance and the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances shall not be affected thereby. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**Section 7.** The City Council officially finds, determines and declares that sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended, and that such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 8.** Because the proposal to amend the Zoning Ordinance is vitally important and should be considered at the earliest possible date, a state of emergency is declared requiring that this ordinance be read and adopted finally at this meeting. Accordingly, this ordinance shall be adopted finally on first reading and shall become effective immediately upon adoption and signature.

PASSED, APPROVED, ADOPTED AND SIGNED on December 5, 2016.

Attest/Seal:

Helene A. Williams  
City Secretary

Signed:

Jason D. Cooper  
Mayor

Recommended:

[Signature]  
City Manager



Approved as to legal form:

[Signature]  
City Attorney



*Exhibit A*

**Zoning & Planning Commission**  
City of West University Place, Texas  
3800 University Boulevard  
West University Place, Texas 77005

October 13, 2016

Honorable Mayor &  
Members of the City Council  
City of West University Place  
3808 University Boulevard  
Houston, Texas 77005

Subject: Preliminary report on a proposal to amend the Zoning Ordinance and Code of Ordinances, by changing the number of minimum required parking spaces in the Town Center Commercial District "TCC".

To the Honorable Mayor  
& Members of City Council:

The Zoning & Planning Commission of the City submits this, its preliminary report, on the subject proposal, for the assistance of the Council as well as other interested persons.

Scope of Proposal. The purpose of this proposal is to amend the Zoning Ordinance by changing the number of minimum required parking spaces in the Town Center Commercial District "TCC". New zoning regulations regarding the non-single family (detached) zoning district provisions were enacted in March of 2015. Following enactment, a petition was submitted to City Council requesting revisions to the regulations, most notably regarding the minimum parking regulations in the TCC district. Revisiting these regulations to find an acceptable parking space ratio is a City Council goal for the 2015-2017 term. The Zoning and Planning Commission has been working on fine tuning and narrowing down possible solutions since then. The proposal includes amending the minimum parking requirements as follows:

1. Change the number of required parking spaces for all uses other than restaurant to 2.5 spaces per 1000 square feet of gross floor area.



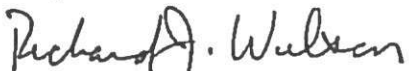
2.Change the number of required parking spaces for all dine in with seating food service establishments to 7.5 spaces per 1000 square feet.

Preliminary Recommendation. Subject to further review following public hearing, the Commission: (i) finds that sufficient evidence exists to warrant further consideration of the zoning change described herein; and (ii) recommends that the City Council call a joint public hearing to consider the matter. The Commission invites all interested persons to participate in the joint public hearing.

The Vote. The vote on approval of this report was as follows: McEnany, Cutrer, Jensen, Kuykendall, and Higley voted "aye"; there were 0 "noes"; Wilson and Tsai absent.

Respectfully submitted:

ZONING AND PLANNING COMMISSION OF THE  
CITY OF WEST UNIVERSITY PLACE, TEXAS

By:   
Presiding Officer for the Commission

**ATTACHMENT "A"****October 13, 2016****Section 10-100. Off-Street Parking.**

There must be off-street parking spaces for each occupied building space within the city, as set out below, and subject to the other provisions of this ordinance:

All other types of space and uses	10.0 per 1,000 square feet of gross floor area used or occupied by people.
All types of spaces and uses in the TCC District	2.50 per 1,000 square feet of gross floor area for uses other than dine in food service with seating. 7.5 spaces per 1,000 square feet of gross floor area for food service with dine in seating. <del>2.60 per 1,000 square feet of gross floor area.</del> (Applies only to principal buildings constructed after the effective date of the TCC district. Other buildings in TCC are subject to the parking requirements for C, Commercial District, uses that applied prior to the effective date of the TCC district.)

*Exhibit B*  
NOTICE OF PUBLIC HEARINGS

The Zoning & Planning Commission and the City Council of the City of West University Place, Texas ("City") will hold a joint public hearing in the Council Chamber of the Municipal Building, 3800 University Boulevard, Houston, Texas 77005 during the City Council meeting set to begin at 6:30 PM on February 9, 2015. The hearing may be recessed and continued from time to time. The purpose for the hearing is to provide an opportunity for parties in interest and citizens to be heard in relation to proposals to amend the City's Zoning Ordinance (and Code of Ordinances) including the Zoning District Map, as follows:

Scope of Proposal. The purpose of this proposal is to amend the Zoning Ordinance by changing the number of minimum required parking spaces in the Town Center Commercial District "TCC". New zoning regulations regarding the non-single family (detached) zoning district provisions were enacted in March of 2015. Following enactment, a petition was submitted to City Council requesting revisions to the regulations, most notably regarding the minimum parking regulations in the TCC district. Revisiting these regulations to find an acceptable parking space ratio is a City Council goal for the 2015-2017 term. The Zoning and Planning Commission has been working on fine tuning and narrowing down possible solutions since then. The proposal includes amending the minimum parking requirements as follows:

1. Change the number of required parking spaces for all uses other than restaurant to 2.5 spaces per 1000 square feet of gross floor area.
2. Change the number of required parking spaces for all dine in with seating food service establishments to 7.5 spaces per 1000 square feet.

Additional details on the proposal as well as the Zoning Ordinance and Code of Ordinances are all available for public inspection in the Municipal Building, 3800 University Boulevard, Houston, Texas 77005. The proposed changes to the Zoning Ordinance and Code of Ordinances would apply generally within the City, and any person interested in such matters should attend the hearings. The proposals may be adopted only after notice and hearing and would control over anything inconsistent in the current Zoning Ordinance or Code of Ordinances.

Date: \_\_\_\_\_ /s/Thelma Lenz, City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 13, 2017	<b>AGENDA ITEM:</b>	3
<b>DATE SUBMITTED:</b>	February 7, 2017	<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	Debbie Scarcella, City Planner	<b>PRESENTER:</b>	R. Wilson, Zoning and Planning Commission Chair D. Beach, Public Works Director
<b>SUBJECT:</b>	Joint Public Hearing Regarding Miscellaneous Ordinance Revisions Including, Building Site Designations, Curb Cuts, Definition of School and Through Lots.		
<b>ATTACHMENTS:</b>	Ordinance Number 2026		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

After completing a periodic review of City ordinances, staff asked the Zoning and Planning Commission to consider possible amendments to the following sections of several ordinances which needed to be updated:

1. **Definition of School** – Define school to include test preparation and alternative school establishments.
2. **Through Lots in a Commercial Zoning District** – Require that a through lot in a commercial zoning district observe that front building line at both frontages unless there are no building sites facing the second frontage.
3. **Recording of Building Site Designations and Divisions of Combined Building Sites** – Require that all combination and divisions of building sites be recorded in the Harris County Real Property Records and allow for building sites that have been legally platted and then combined with another building site, can be divided if the original platted property lines are followed.
4. **Approval of Certain Curb Cuts** – Allows for staff approval of a third curb cut on a second street frontage if there are no conflicts with trees, drainage or water and sewer.

**RECOMMENDATION**

The Zoning and Planning Commission and staff recommend holding the Joint Public Hearing between the City Council and ZPC to obtain additional public input regarding the proposal.

**City of West University Place  
Harris County, Texas**

Ordinance No. 2026

**AN ORDINANCE CALLING A JOINT PUBLIC HEARING ON A PROPOSAL TO AMEND THE ZONING ORDINANCE OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS REGARDING THE DEFINITION OF SCHOOL; THROUGH LOTS IN A COMMERCIAL ZONING DISTRICT; RECORDING OF BUILDING SITE DESIGNATIONS AND DIVISIONS OF COMBINED BUILDING SITES; APPROVAL OF CERTAIN CURB CUTS; PRESCRIBING PROCEDURES AND NOTICES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS**

WHEREAS, the Zoning and Planning Commission ("Z&PC") of the City of West University Place, Texas ("City") has submitted a preliminary report on a proposal to amend the comprehensive zoning ordinance of the City, as last reformatted and re-adopted by Ordinance No. 1672, adopted March 12, 2001, and as amended thereafter ("Zoning Ordinance"); and

WHEREAS, the preliminary report also proposes amendments to the Code of Ordinances of the City; and

WHEREAS, the Z&PC's preliminary report is attached to this ordinance as Exhibit A and made a part of this ordinance by reference; and

WHEREAS, the City Council desires to call a joint public hearing on such proposal;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:**

**Section 1.** The City Council hereby calls a joint public hearing before the City Council and Z&PC on the Code of Ordinances of the City of West University Place, Texas and as amended by the proposal as described in Exhibit A, attached hereto. Unless rescheduled, the hearing shall be held in the Council Chamber of the Municipal Building, 3800 University Boulevard, West University Place, Texas 77005 during the City Council meeting set to begin at 6:30 p.m. on 1/23/17. The hearing may be recessed and continued from time to time. The City Manager may reschedule the date and time, or both, to accommodate other pending matters, but the rescheduled date and time may not be later than 30 days past the date set by this ordinance. All other portions of Chapter 70 of the Code of Ordinances not specifically amended hereby remain in full force and effect.

**Section 2.** The purpose for the hearing is to provide an opportunity for parties in

interest and citizens to be heard in relation to the proposal described in Exhibit A. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** The procedures for adoption of the proposal shall be as follows: (1) notice as required by this ordinance, (2) hearing as called by this ordinance, (3) report by the Z&PC, and (4) vote by the City Council on the question of adoption. The procedures for enforcing the proposal shall be as set out in the existing Zoning Ordinance. The proposal described in Exhibit A is hereby submitted and re-submitted to the Z&PC for its consideration.

**Section 4.** The City Secretary shall give notice of such hearing as prescribed by this section. The notice shall be in substantially the form set out in Exhibit B, which is attached and made a part of this ordinance by reference. The notice shall be published in the City's official newspaper (or another newspaper of general circulation in the City) at least once on or before the 16th day preceding the date of the hearing. In addition, the notice shall be mailed to the persons on the mailing list for the *City Currents* newsletter. The notices shall be deposited in the United States mail on or before ninth day preceding the date of the hearing, properly addressed with postage prepaid. The notices may be included within the newsletter or with utility bills or may be separate. The City Council specifically approves giving combined notice of two or more hearings in a single notice document, as this would save money and also provide better information about the full scope of possible amendments to all interested persons.

**Section 5.** The City staff is authorized to make all necessary arrangements for the hearing and to assist the Z&PC and the City Council.

**Section 6.** If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor and the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances shall not be affected thereby. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**Section 7.** The City Council officially finds, determines and declares that sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, Open Meetings Law, Chapter 551, Texas Government Code, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

Section 8. Because the proposal to amend the Zoning Ordinance is vitally important and should be considered at the earliest possible date, a state of emergency is declared requiring that this ordinance be read and adopted finally at this meeting. Accordingly, this ordinance shall be adopted finally on first reading and shall become effective immediately upon adoption and signature.

PASSED, APPROVED AND ADOPTED ON FIRST AND  
FINAL READING AND SIGNED on the 5<sup>th</sup> day of December, 2016.



Attest/Seal

Thelma A. Lilliam  
City Secretary

Signed: Jason V. Apple  
Mayor

Recommended:

[Signature]  
City Manager

Approved as to legal form:

[Signature]  
City Attorney



*Exhibit A*

Zoning & Planning Commission  
City of West University Place, Texas  
3800 University Boulevard  
West University Place, Texas 77005

November 10, 2016

Honorable Mayor & Members of the City  
Council City of West University Place  
3808 University Boulevard  
Houston, Texas 77005

Subject: Preliminary report on a proposal to amend the Zoning Ordinance of the City of West University Place, Texas ("City") relating to the approval of a certain number of curb cuts and driveways in the front yard and public right of ways; the definition of school and a 5 year sunset provision; through lots in a commercial zoning district; recording of certain building sites and the division of said sites in the real property records of Harris County.

To the Honorable Mayor & Members of City Council:

The Zoning & Planning Commission of the City submits this preliminary report on the subject proposal, for the assistance of the Council as well as other interested persons.

Scope of Proposal. The purpose of this proposal is to 1) clarify the definition of school, other than a public school so that those schools with higher density and use will be properly approved in the correct zoning districts, and provide a 5 year sunset provision for existing uses; 2) Include commercial sites in the application of the requirements for through lots where applicable; 3) authorize staff to approve a third curb cut for those building sites on a corner site that meet the appropriate criteria in the zoning ordinance and Chapter 70 of the Code of Ordinances; and, 4) require that building sites that were combined and have not changed boundary lines can divide and become two separate building sites and providing for the recording of this action within the property records of Harris County.

Recommendation. Based on the review given this proposal so far, the Commission: (i) finds that the proposal, if adopted, would be in the public interest and consistent with the Comprehensive Plan, (ii) finds that the proposal reasonably addresses circumstances which have arisen since the last comprehensive revision of the zoning ordinance, (iii) makes its preliminary recommendation favorable to the proposal, and (iv) recommends that City Council adopt the proposal.

The Vote. The vote on approval of this report was as follows: Wilson, Cutrer, Jensen, Higley, Kuykendall, McEnany and Tsai voted "aye"; No one voted "no"; 0 absent.

Respectfully submitted:

ZONING AND PLANNING COMMISSION  
OF THE CITY OF WEST UNIVERSITY  
PLACE, TEXAS

By: Richard J. Wilson  
For the Commission

**ATTACHMENT "A"**

***Amend Article 2, "Certain Terms" as follows:***

~~School. An establishment: (i) owned or operated by a school district or other governmental entity and used to provide public education or (ii) owned or operated by a non-governmental person under circumstances where a license or permit is in effect or required to be in effect under the Texas Education Code or any other state law pertaining in education or instructional services. Facilities for educational and/or classroom purposes offering an academic curriculum that is generally equivalent to public primary, middle school, or high school levels. This includes, but is not limited to study and tutorial centers, child care and limited child care centers, and vocation and trade programs that might be incidental to the operation of such schools.~~

School (public). A school owned by a governmental entity having the power of eminent domain.

***Amend Article 12, Section 12-103 (i), Losing PNC Status, as follows:***

(i) *Passage of Time* . The following PNC items lose PNC status upon the expiration of the time periods indicated:

PNC Item	Time Period	Special Conditions
Use of a building site in an SF District for business activities	Ten years from the 1987 effective date	
Presence of more dwelling units than allowed in an SF District.	Ten years from the 1987 effective date	PNC status for space which qualifies as conforming accessory quarters is not necessarily lost.
Use of a building site by more than one family in violation of SF District use regulations	Ten years from the 1987 effective date	
Outdoor lighting in violation of <u>Article 8</u>	Time period ending on August 31, 2004	
Lack of special screens in violation of <u>Article 8</u> (waste storage or loading)	160 months following the 1987 effective date	
Non-compliance with pervious area requirement in the C District.	Ten years following the 1987 effective date	
Non-conformance with building regulations by a canopy or similar object designed or used to shelter a	Time period ending on October 1, 2008	

October 13, 2016

motor vehicle, a boat or similarly-sized items.		
<u>Use of a building site as a school in a commercial district without a special exception as granted by the ZBA.</u>	<u>Time period ending on October 15, 2021.</u>	

**Amend Section 5-100 and 5-101 regarding Building Site Designations as follows:**

**Section 5-100. - Requirement for building site.**

(a) *Basic Criteria.* Every structure must be located upon a building site meeting all of the following criteria:

- (1) The entire site must be contiguous and under common fee-simple ownership.
  - (2) The site must consist of one or more whole subdivided lots, excluding only: (i) common use areas and (ii) areas lost because of public acquisition, adverse possession, discrepancies in boundaries or similar cause.
  - (3) Common-use areas are excluded.
  - (4) The site may not include any area within another building site.
  - (5) The site must have the minimum dimensions prescribed by Table 5-1 and this Article.  
Exception: If, after the 1987 effective date, the Z&PC approves a plan, plat or replat establishing a building site with smaller dimensions, the smaller dimensions do not violate this Ordinance. Building Sites containing existing platted lots with smaller dimensions comply with the requirements of this section.
  - (6) The site must have a common boundary with a street area containing a constructed roadway approved and accepted by the city, or, in a QMDS, with a private street or other platted accessway.
- (b) *Certain Exceptions.* This section does not apply to: (i) fences, playground equipment or landscaping structures, or (ii) non-building structures lawfully occupying street areas, easements or similar areas.

**Section 5-101. - Designation of building site.**

- (a) *Owner's Action.* An owner or an owner's agent may designate a building site by submitting a permit application, plat, or legal description or other with the required city document to the City Administrative Official showing a building site meeting the applicable criteria in effect at the time of the designation.
- (b) *Administrative official's Action.* The administrative official shall designate building sites for existing structures, in accordance with the criteria in effect at the time the structures were built and in accordance with the apparent intent of the owners, but the administrative official may not combine two or more subdivided lots into one building site unless: (i) the configuration of the existing structures requires the combination, or (ii) the owner consents on a form designated by the Administrative Official.
- (c) Approved site designation forms shall be filed in the Administrative Official's Office and in the Harris County Real Property Records when two or more building sites are combined or divided.

**Table 5-1. Building Site Dimensions**      *General Rule:* This table prescribes the minimum dimensions for building sites, by District. ("DU" means "dwelling unit.") *Exceptions/Special Rules:* (1) See PDD Schedules for planned development districts. (2) See special notes in table. (3) The Z&PC may establish different dimensions by approving a plan, plat or replat (see

October 13, 2016

**Article 5).**

Item	Measureme nt	SF-1, SF-2 and SF-3	TH	GR- 1	GR- 2	C
New building sites (on or after October 24, 1987) <i>See Note 3.</i>	Width, minimum	75 ft.	N/A			50 ft.
	Depth, minimum	110 ft.	N/A			N/A
	Area, minimum	8,250 sq. ft.		2,000 sq. ft. per DU		5,000 sq. ft.

*Note 3 Certain Re-Subdivisions After October 24, 1987* A subdivided lot in a SF-1, SF-3 or GR-1 District may be further subdivided to produce a building site with less than seventy-five (75) feet of width or less than one hundred ten (110) feet of depth if all applicable procedures under state law and the City's ordinances, rules and regulations are followed and one of the following three sets of circumstances is present: (A) All portions of the subdivided lots are added to adjoining subdivided lots; (B) The number of lots is not increased, and all resulting lots have: (i) a depth greater than or equal to the depth of the shallowest lot before the re-subdivision; and (ii) a width greater than or equal to the width of the narrowest lot before the re-subdivision; provided that no resulting lot is irregularly shaped (unless it was so shaped before the re-subdivision); (C) A portion of the subdivided lot is needed for City use or utility or service use.

**Amend Section 7 Table 7-2: Yards (or 'setbacks') as follows:**

**Note 1. Through Lots or Building Sites or Rear Through Lots or Building Sites.** If a lot or building site extends all the way through a block so that the front and rear both abut a street area, there is no rear yard. The site is a "through" or "rear through" lot or building site, and is considered to have two front yards, one at each street frontage. Front yard (setbacks) shall be as provided in Table 7-2. Exception: If the site is "flag" shaped or irregular, the "flag" portion shall have the same setback as the adjoining building sites fronting that street.

Table 7-2: Yards (or 'setbacks')		<p><i>General Rule:</i> No part of any structure may be located within a part of a building site included within a yard defined, by District, in this table. ("N/A" means the rule does not apply.)</p> <p><i>Exceptions/Special Rules:</i> (1) Structures may be located in yards to the extent allowed by the Projections Schedule. (2) See special rules noted in table. (3) See PDD Schedules for Planned Development Districts. (4) See additional setbacks in the PWSF Schedule.</p>						
Item	Measurement	SF-1	SF-2	SF-3	TH	GR-1	GR-2	C
Rear yard	Distance from rear property line.	20 ft. See Note 1.			20 ft. See Note 7.	5 ft. See Note 7.		5 ft. See Note 1

**Amend Section 7 Table 7-5a, Note 5 as follows:**

<p>Curb cuts</p> <p>Other regulations apply; see, e.g. <u>Article 10 and Chapter 70 of the Code of Ordinances.</u></p>	<p>For SFD use: Maximum one per designated building site abutting the street. For non-SFD uses: Maximum one per 50-ft. segment of street line. See Note 5.</p>
--	--

**Note 5. Curb cuts.** The ZBA may issue a special exception for additional curb cuts. Exception: The Administrative Official may authorize additional curb cuts for a corner site when in compliance with the requirements for two curb cuts for circular driveways specifically allowed by Chapter 70 of the Code of Ordinances. These additional curb cuts are not prohibited and do not require a special exception.

**Exhibit B**

**NOTICE OF PUBLIC HEARINGS**

The Zoning & Planning Commission and the City Council of the City of West University Place, Texas ("City") will hold a joint public hearing in the Council Chamber of the Municipal Building, 3800 University Boulevard, Houston, Texas 77005 during the City Council meeting set to begin at 6:30 PM on \_\_\_\_\_. The hearing may be recessed and continued from time to time without further published notice.

The purpose for the hearing is to provide an opportunity for parties in interest and citizens to be heard in relation to proposals to amend the City's Zoning Ordinance and Code of Ordinances, as follows:

Scope of Proposal. The purpose of this proposal is to 1) clarify the definition of school, other than a public school, so that those learning establishments with potentially higher density and use will be properly approved in the correct zoning districts and provide a 5 year sunset provision for existing uses; 2) Include commercial sites in the application of the requirements for through lots where applicable; 3) authorize staff to approve a third curb cut for those building sites on a corner site that meet the appropriate criteria in the zoning ordinance and Chapter 70 of the Code of Ordinances; and, 4) require that building sites that were combined and have not changed boundary lines can divide and become two separate building sites and providing for the recording of this action within the property records of Harris County.

Additional details on the proposals as well as the Zoning Ordinance and Code of Ordinances are all available for public inspection in the Municipal Building, 3800 University Boulevard, Houston, Texas 77005. The proposed changes to the Zoning Ordinance and Code of Ordinances would apply generally within the City, and any person interested in such matters should attend the hearings. The proposals may be adopted only after notice and hearing and would control over anything inconsistent in the current Zoning Ordinance or Code of Ordinances.

Date: \_\_\_\_\_ City Secretary \_\_\_\_\_



**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 13, 2017	<b>AGENDA ITEM:</b>	5
<b>DATE SUBMITTED:</b>	February 6, 2017	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Claire Bogard, Interim Finance Director	<b>PRESENTER:</b>	Chris Peifer City Manager
<b>SUBJECT:</b>	<b>Code of Ordinances Section 2-133- Payment Procedures</b>		
<b>ATTACHMENTS:</b>	<b>Ordinance amending Section 2-133 of the Code of Ordinances on Payment Procedures</b>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

Upon the retirement of the City's Finance Director, one of the signatures on the City's checks will need to change. Staff began researching the City's Charter and Code of Ordinances as to designation of check signers.

Section 2-133 of the City's Code of Ordinances states that "Payment is made by check signed by the city treasurer and at least one other officer designated by the city council". At the time of the writing of the Code, the Finance Director and City Treasurer were one and the same.

Section 7.01 of the City's Charter states: that the Finance Director shall have custody of all public moneys, funds, notes, bonds and other securities belonging to the City. The Finance Director shall make payments out of City funds upon orders signed by City Officers as designated by the Council. The Charter also states that the Finance Director may serve concurrently as the City Treasurer.

Staff recommendation is to amend Section 2-133 of the Code of Ordinances under Payment Procedures to: Payment is made by check signed by the Finance Director and at least one other officer designated by the city council. This will align the Code of Ordinances with the City Charter, where the Finance Director shall have custody of all public funds and make payments out of City funds.

Due to technology advancements, the City also makes payments by electronic funds transfer, such as direct deposit for payroll checks, wires for debt service payments, and some electronic vendor payments. As such, staff is also recommending that we add verbiage addressing payments by electronic fund transfers.

**RECOMMENDATION**

Approve Ordinance amending Section 2-133 of the Code of Ordinances, Payment Procedures.

**ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS; AMENDING CHAPTER 2, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, BY AMENDING SECTION 2-133 REGARDING PAYMENTS, CHECKS AND SIGNATURES; CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:**

**Section 1.** Chapter 2, Article V of the Code of Ordinances of the City of West University Place, Texas is amended by the repeal of the existing Section 2-133 and the adoption of a new Section 2-133 to read as set out in Appendix A, attached hereto. All other portions of Chapter 2 of the Code of Ordinances not specifically amended hereby remain in full force and effect.

**Section 2.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 4.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 5.** This Ordinance takes effect immediately upon its passage and adoption on second reading.

**PASSED, APPROVED AND ADOPTED ON FIRST READING** on the \_\_\_\_ day of \_\_\_\_\_, 2017.

**PASSED, APPROVED AND ADOPTED ON SECOND READING, AND  
SIGNED,** on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**Attest:** \_\_\_\_\_  
City Secretary (Seal)

**Signed:** \_\_\_\_\_  
Mayor

Recommended: \_\_\_\_\_  
City Manager

Approved as to legal form: \_\_\_\_\_  
City Attorney

**Appendix A**  
(Amended Section 2-133, Code of Ordinances)

**Section 2-133. Payments, checks and signatures.**

(a) *Payment procedures.* The city staff may make a payment to discharge a city obligation, if:

- (1) The payment is budgeted;
- (2) Any applicable charter procedures requiring a budget certificate are complied with;
- (3) The payment is requested by an appropriate department head or the city manager;
- (4) Payment is made by check signed by the ~~city treasurer~~ Finance Director and at least one other officer designated by the city council or payment is made by electronic funds transfer and follows the same review and approval process as checks.

(b) *Facsimile signatures.* Officers authorized to sign checks may use manual or facsimile signatures subject to V.T.C.A., Government Code § 618.003. For any documents for which a facsimile signature of the city secretary is authorized, the city secretary may use a facsimile seal.

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 13, 2017	<b>AGENDA ITEM:</b>	6
<b>DATE SUBMITTED:</b>	February 6, 2017	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Claire Bogard, Interim Finance Director	<b>PRESENTER:</b>	Claire Bogard, Interim Finance Director
<b>SUBJECT:</b>	<b>Matters related to the City of West University Place's Designation of Check Signers</b>		
<b>ATTACHMENTS:</b>	<b>Resolution Approving Designation of Check Signers</b>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

Upon the retirement of the City's Finance Director, one of the signatures on the City's checks will need to change. Staff began researching the City's Charter and Code of Ordinances as to designation of check signers.

Section 7.01 of the City's Charter states: that The Finance Director shall have custody of all public moneys, funds, notes, bonds and other securities belonging to the City. The Finance Director shall make payments out of City funds upon orders signed by City Officers as designated by the Council. The Charter also states that the Finance Director may serve concurrently as the City Treasurer.

Section 2-133 of the City's Code of Ordinances states that "Payment is made by check signed by the city treasurer and at least one other officer designated by the city council". At the time of the writing of the Code, the Finance Director and City Treasurer were one and the same. Staff is recommending by separate action to change the Code from City Treasurer to Finance Director.

The last time City Council designated check signers was in 2006, by name. Only one of the persons in the designation is still with the City. As such, staff is recommending a resolution using titles only, that way as persons come and go, the resolution will survive.

Checks will continue to have dual signatures.

The city attorney has reviewed the document and approved it to legal form.

**RECOMMENDATION**

Approve the resolution approving the City of West University Place's designation of check signers.

**RESOLUTION NUMBER 2006~~17-13~~**

A RESOLUTION RELATING TO SIGNATURES ON CHECKS DRAWN ON CITY ACCOUNTS;  
AUTHORIZING SUCH SIGNATURES AND AUTHORIZING USE OF FACSIMILE SIGNATURES;  
AUTHORIZING THE ~~CITY TREASURER~~ FINANCE DIRECTOR TO RATIFY CERTAIN SIGNATURES; AND  
CONTAINING FINDINGS AND PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, the City of West University Place (the "City") requires all checks to be signed by the ~~City Treasurer~~ Finance Director and at least one other officer; and

~~WHEREAS, the City requires an authorized officer to sign any withdrawal notice before securities held by the Federal Reserve Bank as collateral for the City's deposits may be released;~~

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS:

Section 1. ~~City Treasurer Walter Thomas~~ Finance Director is authorized to sign checks drawn on all City accounts held by the depository, if the checks are co-signed by one of the following:

- A. ~~Burt Ballanfant, Mayor~~ City Manager
- B. ~~Phyllis Cohen, Mayor Pro Tem~~ Controller
- C. ~~Michael Ross, City Manager~~ City Treasurer
- D. ~~M. Christopher Peifer~~

Section 2. All signatures authorized in Section 1 may be signed either manually or by facsimile in accordance with article 717J-1 of the Texas Uniform ~~Facsimile~~ Facsimile Signature of Public Officials Act, Chapter 618 of the *Texas Government Code*.

~~Section 3. The following officers are authorized to release any securities held by the Federal Reserve Bank, provided that the aggregate market value of pledged securities held by the Federal Reserve Bank must be at least 102% of the Depository's required collateral value (the amount of collected funds on deposit with the depository increased by accrued but uncredited interest reduced by the portion of funds insured by the FDIC);~~

- ~~A. Walter Thomas, Finance Director/City Treasurer~~
- ~~B. Michael Ross, City Manager~~
- ~~C. M. Christopher Peifer~~

Section ~~3~~ 4. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict only.

Section 5. If any word, phrase, clause, sentence, paragraph, section or other part of this resolution or, the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this resolution and the application of such word, phrase, clause, sentence, paragraph, section, or other part of this resolution to any other person or circumstances shall not be affected thereby.

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Section 6. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

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Section 7. This notice shall take effect immediately upon its adoption and signature.

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**PASSED, APPROVED AND ADOPTED on/L**

200617.

ATTEST: (SEAL)

~



# FUTURE AGENDA ITEMS

Shaded items are on immediate agenda

<b>02/13/17</b>	Calling the General Election (second and final reading)	Matters related to the 2017 election, including designating election precincts and the polling place. <i>Approve ordinance on the second and final reading. Ms. Thelma A. Gilliam, City Secretary</i>
<b>02/13/17</b>	Joint Public Hearing (Building Site Designations)	Matters related to a joint public hearing for possible amendments to the Zoning Ordinance regarding building site designations; the definition of school use; curb cuts; and through lots. <i>Recommended Action: Hold Public Hearing. Ms. Debbie Scarcella, City Planner and Mr. Richard Wilson, ZPC Chair</i>
<b>02/13/17</b>	Joint Public Hearing (Parking Spaces)	Matters related a joint public hearing for an amendment to the zoning ordinance regarding the minimum number of parking spaces required in town center commercial district. <i>Recommended Action: Hold Public Hearing. Ms. Debbie Scarcella, City Planner and Mr. Richard Wilson, ZPC Chair</i>
<b>02/13/17</b>	Investment Policy	Matters related to a resolution changing signature information for the City's Investment Policy. <i>Recommended Action: Approve resolution authorizing changes in signatories for the City's Investment Policy. Mr. Wally Waits, Treasurer</i>
<b>02/13/17</b>	Quiet Hours (Ordinance 1779)	Matters related to Ordinance 1779 regarding quiet hours. <i>Recommended Action: Discuss and take any desired action. Councilmember Reilly</i>
<b>02/13/17</b>	Resolution Authorization Signatories	Matters related to approving a resolution authorizing signatories on City accounts. <i>Recommended action: Approve resolution designating the authorized signatories on the City's accounts. Ms. Claire Bogard, Interim Finance Director</i>
<b>02/13/17</b>	Change to Code of Ordinance	Matters related to amending Section 2-133 of the Code of Ordinances to change City Treasurer to Finance Director. <i>Ms. Claire Bogard, Interim Finance Director</i>
<b>02/27/17</b>	Interlocal Agreement	Matters related to an Interlocal Agreement with Frisco, Texas, for purchasing goods and services. <i>Recommended Action: Approve Interlocal Agreement with Frisco, Texas for purchasing goods and services. Mr. Aaron Taylor, Fire Chief</i>
<b>03/13/17</b>	Concession Agreement for Colonial Park	Matters related to an agreement for concessions at Colonial Park. <i>Recommended Action: Discuss and take any desired action. Ms. Susan White, Assistant Parks and Recreation Director</i>
<b>03/27/17</b>	Liberty Hill Park	Matters related to an update on the development of Liberty Hill Park. <i>Recommended Action: Receive update. Ms. Susan White, Parks and Recreation Director</i>
<b>03/27/17</b>	Facilities Master Plan Update	Matters related to the Facilities Master Plan update. <i>Recommended Action: Discuss and take any desired action. Mr. Dave Beach, Public Works Director and Mr. Owen Rutz, Chair of the Facilities Master Plan Task Force</i>
<b>TBD</b>	Workshop on Real Estate	Matters related a discussion regarding the City's process to purchase West U properties. <i>Discuss and take any desired action. Councilmember Mardi Turner and Councilmember Brennan Reilly</i>

<b>TBD</b>	Sister City	Matters related to a discussion regarding a possible Sister City relationship with Sisak, Croatia. <b>Councilmember Burt Ballanfant</b>
<b>TBD</b>	Friends 2017 Projects	Matters related to funding of the Friends of West University Place Parks 2017 projects. <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	Scout House Lease	Matters related to approval a lease between Houston Independent School District (HISD) and the City of West University Place (City) for the City's use of the Scout House. <i>Recommended Action: Authorize the City Manager to execute the lease agreement between the City and HISD for use of the Scout House.</i> <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	Jennie Elizabeth Hughes Park (Approval of Final design)	Matters related to approval of the final design and authorization to proceed with construction of the Jennie Elizabeth Hughes Park. <i>Recommended Action: Approve the final design and authorize proceeding with construction of the Jennie Elizabeth Hughes Park.</i> <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	Pending Litigation Matters	Matters related to an update by the City Attorney regarding the status of City litigation. <b>Mayor Susan Sample at the request of Councilmember Reilly</b>
<b>TBD</b>	Pier and Beams	Matters related to the City's Code of Ordinances as it relates to Pier and Beams. <i>Recommended Action: Discuss and take any desired action.</i> <b>Mayor Susan Sample</b>
<b>TBD</b>	Park Acquisition and Development	Matters related to a report from the Parks Board and staff regarding a presentation relating to current and previous parks surveys. <b>City Council</b>
<b>TBD</b>	Park Acquisition and Development	Matters related to the status of the work with the Evelyn's Park Conservancy and the planning efforts with CenterPoint. <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	WU Rec Center Campus Parking Lot	Matters related to the proposed expansion of the parking lot on the ELPH Pipeline Property / West Side of the campus. <i>Recommended Action: Discuss and take any desired action.</i> <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	Safe Pedestrian Crossing	Matters regarding the investigation and installation of a safe pedestrian crossing at the railroad tracks on the north side of Bellaire Boulevard. <i>Recommended Action: Discuss and take any desired action.</i> <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	Evelyn's Park Development	Matters related to the development of Evelyn's park in Bellaire, including possibility of shared parking arrangements with the City of Bellaire for Evelyn's park. <i>Discuss and take any desired action.</i> <b>Ms. Susan White, Assistant Parks and Recreation Director</b>
<b>TBD</b>	Texas Ethics Commission Opinion	Matters related to a Texas Ethics Commission opinion relating to the content of articles written in <i>City Currents</i> . <i>Recommended Action: Discuss and take any desired action.</i> <b>Councilmember Brennan Reilly</b>
<b>TBD</b>	Parking Survey	Matters related to a parking survey. <i>Recommended Action: Discuss and take and desired action.</i> <b>Mr. Dave Beach, Public Works Director</b>

<b>TBD</b>	Town Center Zoning	Matters related to Town Center Zoning. <i>Recommended Action: Discuss and take any desired. <b>City Council</b></i>
<b>TBD</b>	Poor Farm Ditch	Matters related to Poor Farm Ditch. <i>Recommended Action: Discuss and take any desired action. <b>Mayor Susan Sample</b></i>
<b>TBD</b>	Buffalo Speedway	Matters related to Buffalo Speedway Replacement Project. <b>Mr. Chris Peifer, City Manager</b>

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# The City of West University Place

*A Neighborhood City*

## CITY COUNCIL

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## STAFF

M. Chris Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **DRAFT**

## **CITY COUNCIL MEETING MINUTES**

The City Council of the City of West University Place, Texas, met in regular session on **Monday, January 23, 2017**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:30 p.m.**

Agenda Items were as follows:

**Call to Order.** Mayor Sample called the meeting to order at approximately 6:30 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant, Reilly and Turner, City Manager Peifer, City Secretary Gilliam, City Attorney Petrov, Public Works Director Beach, HR Director Standorf, Fire Chief Taylor, and Police Chief Walker.

Viknesh Venkatachalam and Joshua Liu, Boy Scout Troop 266, led the Pledge of Allegiance.

City Secretary Gilliam confirmed that the notice of this meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

### **1. Public Comments**

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

Dick Yehle, 6401 Rutgers, requested to speak during the item regarding the Master Plan Update.

Alida Drewes, 6112 Fordham

### **2. Facilities Master Plan Update**

Matters related to the Facilities Master Plan update. *Recommended Action: Discuss and take any desired action. Mr. Dave Beach, Public Works Director and Mr. Owen Rutz, Chair of the Facilities Master Plan Task Force*

### **3. Harris County EPAS Agreement**

Matters related to authorizing the execution of an Interlocal Agreement with Harris County in order for the West U Fire Department's continued operation and maintenance of the Electronic Personal Accountability System. *Recommended Action: Authorize the city manager to execute the agreement. Mr. Aaron Taylor, Fire Chief*

Councilmember Reilly moved to authorize the City Manager to execute the agreement with Harris County. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Reilly, Turner  
**Noes:** None  
**Absent:** None

4. **Employee Health Insurance**

Matters related to consulting services for employee health insurance benefits. *Recommended Action: Discuss and take any desired action.* **Mayor Susan Sample**

5. **Future Agenda Items**

Matters related to future agenda items. *Recommended Action: Discuss and take any desired action.* **City Council** [see Future Agenda Items List]

Councilmember Reilly requested that an item be added for the Master Plan Task Force to come back before Council at the last meeting in March. Councilmember Ballanfant seconded the request.

Councilmember Turner requested a workshop be added to the future items list in order to discuss a process for the City to acquire properties. Councilmember Reilly seconded the request.

6. **Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. **City Council Minutes**

Approve City Council Minutes of January 9, 2017. *Recommended Action: Approve Minutes.* **Ms. Thelma Gilliam, City Secretary**

B. **Ordinance Calling the May 6, 2017 Election**

Matters related to the 2017 election, including designating election precincts and the polling place. *Recommended Action: Approve ordinance calling the May 6, 2017 Election on the first of two readings.* **Ms. Thelma A. Gilliam, City Secretary** [see Agenda Memo 6B]

Councilmember Turner moved to approve the Consent Agenda as presented. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Reilly, Turner  
**Noes:** None  
**Absent:** None

7. **Adjourn**

Councilmember Turner moved to adjourn. Councilmember Reilly seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Kelly, Ballanfant, Reilly, Turner  
**Noes:** None  
**Absent:** None

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 13, 2017	<b>AGENDA ITEM:</b>	8B
<b>DATE SUBMITTED:</b>	February 9, 2017	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	Thelma Gilliam, City Secretary	<b>PRESENTER:</b>	Thelma Gilliam, City Secretary Alan Petrov, City Attorney
<b>SUBJECT:</b>	<b>2017 General Election</b> / Elecciones Generales 2017		
<b>ATTACHMENTS:</b>	<b>Ordinance Calling for the Election</b> / Elecciones Generales 2017		
<b>EXPENDITURE REQUIRED:</b>	\$10,000 - \$13,000		
<b>AMOUNT BUDGETED:</b>	\$13,000		
<b>ACCOUNT NO.:</b>	101-1010-75001		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

The City will conduct a general election on May 6, 2017 for the purpose of electing a mayor and four councilmembers. In addition to this ordinance calling the election, it also designates precincts and the polling location, as well as authorizes the appointment of election officials.

In 2012, City Council approved the consolidation of the City's polling locations for Harris County precincts 15, 87, 133, 183 and 906 into one polling location for City elections. Therefore, the ordinance approves City Hall as the City's one polling location for this election.

This ordinance also authorizes, for this election only, the appointment of Marie Monroe as the Presiding Judge on Election Day and Mary Catherine Cousins as her alternate. Ramsay Elder is being appointed as the Presiding Judge for the Central Counting Station.

Staff will be bringing another agreement before Council soon that will provide for Harris County to provide and deliver voting system equipment for this election.

**RECOMMENDATION**

Staff recommends that City Council adopt the ordinance calling the General Election for the May 6, 2017 on the second and final reading.

## **RESUMEN EJECUTIVO**

La Ciudad conducirá una elección general el 6 de mayo de 2017 con el propósito de elegir un alcalde y cuatro concejales. Además de esta ordenanza que convoca la elección, también designa precintos y el lugar de la votación, así como autoriza el nombramiento de funcionarios electorales.

En 2012, el Concejo Municipal aprobó la consolidación de los lugares de votación de la Ciudad para los distritos del Condado de Harris 15, 87, 133, 183 y 906 en un lugar de votación para las elecciones de la Ciudad. Por lo tanto, la ordenanza aprueba el Ayuntamiento como el lugar de votación de la Ciudad para esta elección.

Esta ordenanza también autoriza, para esta elección solamente, el nombramiento de Marie Monroe como Juez Presidente el Día de la Elección y Mary Catherine Cousins como su suplente. Ramsay Elder está siendo nombrado Juez Presidente de la Central Counting Station.

El personal traerá otro acuerdo antes del Consejo que proveerá al Condado de Harris para proveer y entregar equipo del sistema de votación para esta elección.

## **RECOMENDACIÓN**

El personal recomienda que el Concejo Municipal adopte la ordenanza de convocatoria de la Elección General para el 6 de mayo de 2017 en la segunda y última lectura.

**City of West University Place  
Harris County, Texas**

Ordinance No. XXXX

AN ORDINANCE CALLING AN ELECTION WITHIN THE CITY OF WEST UNIVERSITY PLACE, TEXAS FOR THE SIXTH (6<sup>th</sup>) DAY OF MAY, 2017, FOR THE PURPOSE OF ELECTING A MAYOR AND FOUR (4) COUNCIL MEMBERS; DESIGNATING PRECINCTS AND POLLING PLACE; APPOINTING ELECTION OFFICIALS; CONTAINING FINDINGS AND PROVISIONS RELATING TO SAID ELECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS:

**SECTION 1.** A general election is hereby ordered and shall be held in the City of West University Place, Texas ("City") on May 6, 2017 ("Election Day"), for the purpose of electing a Mayor and four (4) Council Members of the City.

**SECTION 2.** (a) The eSlate Direct Recording Electronic Voting System (the "DRE") shall be used for early voting by personal appearance and for regular voting on Election Day.

(b) Paper ballots shall be used for voting by mail and such ballots shall be manually counted.

All ballots shall be prepared in accordance with the applicable provisions of the TEXAS ELECTION CODE and the Voting Rights Act of 1965 and any amendments thereto so that the voters may cast their ballots for the candidates of their choice.

(c) The City Council hereby appoints Ramsay Elder to be Presiding Judge for the Central Counting Station, which shall be located at the West University Place Municipal Building, 3800 University Boulevard, West University Place, Texas 77005 (Council Chambers). Thelma Gilliam shall serve as the Manager and Tabulation Supervisor of the Central Counting Station.

**SECTION 3.** (a) The City shall have one (1) polling place for citizens residing in all five (5) Harris County voting precincts within West University Place (#15, #87, #133, #183, #906) to vote and the persons hereby appointed to serve, for this election only, as Presiding Judge and Alternate Presiding Judge for the polling place, are as follows:

**Polling Place:**

West University Place Council Chambers  
3800 University Boulevard

Marie Monroe, Presiding Judge  
Mary Catherine Cousins, Alternate Presiding Judge

(b) The Presiding Judge shall appoint not fewer than four (4) and not more than six (6) qualified clerks to serve and assist at the polling place under his/her jurisdiction in holding said election; provided that, the Presiding Judge herein appointed actually serves in holding said election, the Alternate Presiding Judge shall be one of the clerks.

(c) The Presiding Judge and Alternate Presiding Judge will be entitled to compensation at an hourly rate not to exceed \$12.00 and each election clerk will be entitled to compensation at an hourly rate not to exceed \$9.00.

(d) On Election Day, the polls shall be open from 7:00 A.M. to 7:00 P.M.



(e) The early voting clerk shall be the City Secretary of the City. Early voting by personal appearance shall be conducted at the City Hall Council Chambers, Municipal Building, 3800 University Blvd., West University Place, Texas 77005, on weekdays during the early voting period (April 24, 2017 through April 27, 2017 and on May 2, 2017) during the hours the City Secretary's main business office is regularly open for business (8:00 a.m. to 5:00 p.m.) on each day which is not a Saturday, Sunday, or official state or federal holiday, in accordance with the provisions of the TEXAS ELECTION CODE. Extended hours for early voting will held on April 28<sup>th</sup> and May 1<sup>st</sup> from 7:00 a.m. to 7:00 p.m. The early voting clerk's mailing address, to which ballot applications and ballots voted by mail may be sent, shall be: City Secretary, Municipal Building, 3800 University Blvd., West University Place, Texas 77005. Applications for ballots by mail must be received by the early voting clerk no later than the close of business on April 25, 2017. Marie Monroe shall serve as the presiding officer of the Early Voting Ballot Board for this election.

**SECTION 4.** All qualified electors of the City shall be permitted to vote at said election. Notwithstanding any provisions to the contrary in this ordinance, the election shall be held and conducted in accordance with the TEXAS ELECTION CODE and the VOTING RIGHTS ACT OF 1965, as amended, and, as may be required by law. All election materials and proceedings shall be printed in English and Spanish. In addition, standard voting information shall be provided in English and Spanish and the City Secretary shall make arrangements with the election officials for the use of a Spanish interpreter. It is found and determined that these measures will adequately serve any Spanish speakers eligible to vote in the election. In addition, per the preclearance of the United States Department of Justice and the Voting Rights Act of 1965, the City shall utilize a targeting system for Vietnamese and Chinese speakers, as necessary, so that such language minority group members who need minority language materials and assistance receive them.

**SECTION 5.** The form of the notice prescribed by the Texas Secretary of State's Office shall serve as proper notice of said election. Said notice, including a Spanish translation thereof, shall be given by publishing it and posting it in accordance with Section 4.003, of the TEXAS ELECTION CODE. In addition, per the Voting Rights Act of 1965, the City Secretary will make the Notice available in both Chinese and Vietnamese languages, as may be necessary pursuant to the targeting system.

**SECTION 6.** The Mayor, the Mayor Pro Tem, the City Manager, the City Secretary and the Assistant City Secretary, or any one of them, are authorized on behalf of the City Council to evidence adoption of this Ordinance and to do any and all other things legal and necessary in connection with the holding and consummation of such election and to give effect to the intent of this Ordinance. Appointments of election officials in this Ordinance are made for this election only.

**SECTION 7.** If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances, shall not be affected thereby.

**SECTION 8.** All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**SECTION 9.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required

by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

SECTION 10. The public importance of this measure and the requirements of the law create an emergency and an urgent public necessity requiring that this Ordinance be passed and take effect as an emergency measure, and a state of emergency is hereby declared and this Ordinance is accordingly passed as an emergency measure and shall take effect and be in force immediately from and after its passage.

PASSED AND APPROVED ON THE **FIRST OF TWO READINGS**, this the 23<sup>rd</sup> day of January, 2017.

PASSED AND APPROVED ON **SECOND AND FINAL READING**, this 13<sup>th</sup> day of February, 2017.

Signed:

(SEAL)

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Susan V. Sample  
Mayor

ATTEST

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Thelma A. Gilliam  
City Secretary

ATTEST:

REVIEWED:

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M. Chris Peifer  
City Manager

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Alan P. Petrov  
City Attorney

Ciudad de West University Place  
Condado de Harris, Texas

Ordenanza No. XXXX

UNA ORDENANZA QUE LLAME A UNA ELECCIÓN EN EL LUGAR DE LA CIUDAD DE LA UNIVERSIDAD OCCIDENTAL, TEXAS PARA EL SEXTO (6º) DÍA DE MAYO DE 2017, CON EL FIN DE ELEGIR A UN ALCALDE Y CUATRO (4) MIEMBROS DEL CONSEJO; DESIGNATING PRECINCTS AND POLLING PLACE; NOMBRAMIENTO DE FUNCIONARIOS ELECTORALES; CONTIENE RESULTADOS Y DISPOSICIONES RELACIONADAS CON DICHA ELECCIÓN.

SE ORDENADO POR EL CONCEJO MUNICIPAL DE LA CIUDAD DE LA UNIVERSIDAD OESTE LUGAR, TEXAS:

**SECCIÓN 1.** Se ordena una elección general y se llevará a cabo en la Ciudad de West University Place, Texas ("Ciudad") el 6 de mayo de 2017 ("Día de las Elecciones"), con el propósito de elegir un Alcalde y cuatro ) Miembros del Concejo de la Ciudad.

**SECCIÓN 2.** (a) El Sistema de votación electrónica de grabación electrónica eSlate (el "DRE") se utilizará para la votación anticipada mediante comparecencia personal y para la votación regular el día de las elecciones.

(b) Se utilizarán boletas de papel para votar por correo y dichas papeletas se contarán manualmente.

Todas las papeletas se prepararán de acuerdo con las disposiciones aplicables del CÓDIGO ELECTORAL de TEXAS y la Ley de Derechos Electorales de 1965 y cualquier enmienda al mismo para que los votantes puedan votar por los candidatos de su elección.

(c) El Concejo Municipal nombra a Ramsay Elder como Juez Presidente de la Estación Central de Contar, la cual estará ubicada en el Edificio Municipal West University Place, 3800 University Boulevard, West University Place, Texas 77005 (Cámaras del Consejo). Thelma Gilliam servirá como Gerente y Supervisor de Tabulación de la Central de Recuento.

**SECCIÓN 3.** (a) La Ciudad tendrá un (1) lugar de votación para los ciudadanos que residen en los cinco (5) recintos electorales del Condado de Harris dentro de West University Place (# 15, # 87, # 133, # 183, # 906) Y las personas nombradas para servir, para esta elección solamente, como Juez Presidente y Juez Presidente Alterno para el lugar de votación, son los siguientes:

**Colegio electoral:**

West University Place Cámaras del Consejo  
3800 University Boulevard

Marie Monroe, Juez Presidente  
Mary Catherine Cousins, Juez Presidente Alterno

(b) El Juez Presidente nombrará no menos de cuatro (4) y no más de seis (6) empleados calificados para servir y asistir en el lugar de votación bajo su jurisdicción en la celebración de dicha elección; Siempre que el Juez Presidente en la presente designación sirva efectivamente en la celebración de dicha elección, el Juez Presidente Alterno será uno de los secretarios.

(c) El Juez Presidente y el Juez Presidente Alterno tendrán derecho a una compensación a una tarifa por hora que no exceda \$ 12.00 y cada empleado electoral tendrá derecho a una compensación a una tarifa por hora que no exceda \$ 9.00.

(d) El día de la elección, las urnas estarán abiertas a partir de las 7:00 A.M. A las 7:00 p.m.

(e) El secretario de la votación anticipada será el Secretario Municipal de la Ciudad. La votación temprana por comparecencia personal se llevará a cabo en las Salas del Consejo de la Alcaldía, Edificio Municipal, 3800 University Blvd., West University Place, Texas 77005, durante los días de semana durante el período de votación temprana (24 de abril de 2017 a 27 de abril de 2017 y mayo 2, 2017) durante las horas en que la principal oficina de negocios de la Secretaria de la Ciudad está abierta regularmente para las empresas (de 8:00 am a 5:00 pm) en cada día que no es un sábado, domingo o feriado oficial estatal o federal, de acuerdo con Las disposiciones del TEXAS ELECTION CODE. El horario extendido para la votación anticipada se llevará a cabo el 28 de abril y el 1 de mayo de 7:00 am a 7:00 pm La dirección postal del secretario de votación anticipada, a la que se pueden enviar las solicitudes de votación y votaciones por correo, será: Las solicitudes para las boletas por correo deben ser recibidas por la secretaria de votación temprana a más tardar al cierre de los negocios el 25 de abril de 2017. Marie Monroe actuará como presidenta de la Votación Temprana para esta elección.

**SECCIÓN 4.** Todos los electores calificados de la Ciudad podrán votar en dicha elección. No obstante las disposiciones en contrario en esta ordenanza, la elección se llevará a cabo y se llevará a cabo de acuerdo con el CÓDIGO DE ELECCIÓN DE TEXAS y la LEY DE DERECHOS DE VOTO de 1965, según enmendada, y, según lo requiera la ley. Todos los materiales y procedimientos electorales serán impresos en inglés y español. Además, se proporcionará información de votación estándar en inglés y español y el Secretario de la Ciudad tomará las disposiciones necesarias con los funcionarios electorales para el uso de un intérprete español. Se encuentra y determinó que estas medidas servirán adecuadamente a los hispanohablantes elegibles para votar en las elecciones. Además, por la preclarificación del Departamento de Justicia de los Estados Unidos y la Ley de Derechos Electorales de 1965, la Ciudad utilizará un sistema de focalización para hablantes vietnamitas y chinos, según sea necesario, para que los miembros de grupos minoritarios de idiomas que necesiten materiales y Ayuda.

**SECCION 5.** La forma del aviso prescrito por la Oficina del Secretario de Estado de Texas servirá como notificación apropiada de dicha elección. Dicha notificación, incluida su traducción al español, se publicará y publicará de acuerdo con la Sección 4.003 del CÓDIGO ELECTORAL DE TEXAS. Además, de acuerdo con la Ley de Derechos Electorales de 1965, el Secretario de la Ciudad hará disponible el Aviso en idiomas chino y vietnamita, según sea necesario de acuerdo con el sistema de selección de objetivos.

**SECCIÓN 6.** El Alcalde, el Alcalde Pro, el Administrador de la Ciudad, el Secretario de la Ciudad y el Ayudante del Secretario de la Ciudad, o cualquiera de ellos, están autorizados en nombre del Concejo Municipal para probar la adopción de esta Ordenanza y para hacer cualquiera y todas Otras cosas legales y necesarias en relación con la celebración y consumación de dicha elección y para dar efecto a la intención de esta Ordenanza. Las designaciones de funcionarios electorales en esta Ordenanza se hacen solamente para esta elección.

**SECCIÓN 7.** Si alguna palabra, frase, cláusula, oración, párrafo, sección u otra parte de esta ordenanza o la aplicación de la misma a cualquier persona o circunstancia, será considerada inválida o inconstitucional por cualquier tribunal de jurisdicción competente, El resto de esta ordenanza, ni la aplicación de tal palabra, frase, cláusula, oración, párrafo, sección u otra parte de esta ordenanza a ninguna otra persona o circunstancia, no se verán afectados por ella.

**SECCIÓN 8.** Todas las ordenanzas y partes de ordenanzas en conflicto con la presente quedan derogadas hasta el límite del conflicto.

**SECCIÓN 9.** El Concejo Municipal determina, declara y declara oficialmente que la fecha, la hora, el lugar y el tema de cada reunión en la cual se discutió, consideró o actuó la ordenanza fue dado de la manera requerida por el Texas Open Ley de Reuniones, en su forma enmendada, y que cada reunión ha sido abierta al público según lo requerido por la ley en todo momento durante tal discusión, consideración y acción. El Ayuntamiento ratifica, aprueba y confirma dichos avisos y el contenido y publicación de los mismos.

**SECCIÓN 10.** La importancia pública de esta medida y los requisitos de la ley crean una emergencia y una necesidad pública urgente que requiere que esta Ordenanza sea aprobada y surta efecto como una medida de emergencia y se declara el estado de emergencia y esta Ordenanza es en consecuencia Adoptado como medida de emergencia y surtirá efecto y estará en vigor inmediatamente después de su paso.

PASADO Y APROBADO EN LA PRIMERA DE DOS LECTURAS, el día 23 de enero de 2017.

PASADO Y APROBADO EN SEGUNDA Y FINAL LECTURA, este día 13 de febrero de 2017.

**(SELLO)**

**FIRMADO:**

\_\_\_\_\_  
Susan V. Ejemplo  
Alcalde

**ATESIGUAR:**

\_\_\_\_\_  
Thelma A. Gilliam  
Secretario de la Ciudad

**RECOMENDADO:**

\_\_\_\_\_  
M. Chris Peifer  
Ayudante de ciudad

**REVISADO:**

\_\_\_\_\_  
Alan P. Petrov  
Abogado de ciudad

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 13, 2017	<b>AGENDA ITEM:</b>	8C
<b>DATE SUBMITTED:</b>	February 06, 2017	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Wally Waits, Treasurer	<b>PRESENTER:</b>	Wally Waits, Treasurer
<b>SUBJECT:</b>	<b>Matters Related to a Resolution Approving Changes to the West University Place Investment Policy</b>		
<b>ATTACHMENTS:</b>	<b>1. Resolution 2. Investment Policy – Redlined</b>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

At least annually, and from time-to-time, as needed, or as part of housekeeping, the West University Place Investment Policy (the “Investment Policy”) will need updating, review and approval by the City Council. The Investment Policy was last reviewed and approved on June 27, 2016.

Due to recent past and upcoming staffing changes, with the retirement of the current Finance Director, and as the result of a recent corporate name change among the approved Broker/Dealer list the Investment Policy was revised and updated in Exhibits A, B, and C.

- **Exhibit A: Authorized Investment Officials** – The names were removed, leaving titles. This will enable the Investment Policy to remain fluid as staffing may change. In addition, the City Controller’s title was added for purposes of diversification and in accordance Resolution No. 2016-10.
- **Exhibit B: Statement of Ethics and Conflict of Interest** – The names under the signature lines were removed, leaving titles. This will enable the Investment Policy to remain fluid as staffing may change. In addition, the City Controller’s title was added for purposes of diversification and in accordance Resolution No. 2016-10.
- **Exhibit C: Approved Broker/Dealers, Financial Institutions and Investment Pools** – The corporate name “First Southwest Company” was changed to “Hilltop Securities” to reflect a recent corporate name change.

**RECOMMENDATION**

Approve the resolution adopting changes to the West University Place Investment Policy.

City of West University Place  
Harris County, Texas

**RESOLUTION NO. XXXX-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, REVIEWING AND ACCEPTING THE CITY OF WEST UNIVERSITY PLACE'S INVESTMENT POLICY IN ACCORDANCE WITH THE PUBLIC FUNDS INVESTMENT ACT; ALL MATTERS RELATED THERETO; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, the City of West University Place, Texas, established policies and procedures for the investment of funds on March 21, 1988 by Resolution Number 88-03; and

**WHEREAS**, in 1995 and 2009 through 2016, the City Council amended the City's Investment Policy to incorporate amendments according to the Public Funds Investment Act, including improved management of the City's investments and reflecting any organizational changes; and

**WHEREAS**, Texas Government Code, Section 2256.005(e) requires that the Investment Policy shall be made in accordance with written policies approved, at least annually, by the governing body; and

**WHEREAS**, investment policies must address safety of principal, liquidity, yield, diversification and maturity, with primary emphasis on safety of principal; **NOW THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS:**

**Section 1.** That the City of West University Place, Texas, has reviewed the City's Investment Policy and that in Section 2 hereof records any changes made by the City Council to such document.

**Section 2.** That the City Council of the City of West University Place, Texas, hereby adopts the changes made in Exhibit A, Exhibit B, and Exhibit C of the West University Place Investment Policy, which is attached hereto as Attachment - A and incorporated herein for all intents and purposes.

**Section 3.** This Resolution shall take effect immediately from and after its passage by the City Council of the City of West University Place, Texas.

**INTRODUCED, READ and PASSED**, by the affirmative vote of the City Council of the City of West University Place, Texas, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Attest:** \_\_\_\_\_  
City Secretary (Seal)

**Signed:** \_\_\_\_\_  
Mayor

**Recommended:**

**Approved as to legal form:**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Attorney



## **ATTACHMENT – A**

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***CITY OF WEST UNIVERSITY  
PLACE, TEXAS  
INVESTMENT POLICY***



# City of West University Place Investment Policy

## Table of Contents

I. Policy	1
II. Purpose	1
III. Scope	1
IV. General Objectives	
A. Safety	2
B. Liquidity	2
C. Public Trust	2
D. Yield	3
V. Standards of Care	
A. Prudence	3
B. Ethics and Conflicts of Interest	3
C. Delegation of Authority	4
D. Training	4
E. Internal Controls	4
VI. Safekeeping and Custody	
A. Authorized Financial Dealers and Institutions	5
B. Competitive Bids	5
C. Delivery vs. Payment	5
VII. Suitable and Authorized Investments	
A. Eligible Investments	5
B. Collateralization	6
C. Existing Investments	6
VIII. Investment Parameters	
A. Diversification	7
B. Maximum Maturities	7
IX. Investment Strategies	7
X. Reporting	
A. Methods	8
B. Performance Standards	8
C. Marking to Market	8
EXHIBITS	
A - Authorized Investment Officials	9
B - Statement of Ethics and Conflicts of Interest	10
C – Approved Broker/Dealers, Financial Institutions and Investment Pools	11
D – Certification by Business Organization	12
E – Investment Strategy	13

## **I. Policy**

It is the policy of the City of West University Place (the “City”) to administer and invest its funds in a manner that will preserve the principal and maintain the liquidity while meeting the daily cash flow requirements of the City. The City will conform to all federal, state and local statutes, rules and regulations governing the investment of the City’s funds.

The City’s policy is to hold investments to maturity; however, securities may be sold in order to minimize the potential loss of principal on a security whose credit quality has declined; to swap into another security which would improve the quality, yield or target duration of the portfolio; or to meet unanticipated liquidity needs of the portfolio.

Not less than annually, City Council shall adopt a written instrument by resolution stating that it has reviewed the Investment Policy and investment strategies and that the written instrument so adopted shall record any changes made to the Investment Policy or investment strategies.

## **II. Purpose**

The purpose of this policy is to comply with Chapter 2256 of the Texas Government Code (“Public Funds Investment Act”), which requires each entity to adopt a written investment policy regarding the investment of its funds and funds under its control. The investment policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the entity’s funds.

## **III. Scope**

This investment policy applies to all financial assets of the City. These funds are accounted for in the City's **Comprehensive Annual Financial Report** and include all financial assets of all funds managed by the City, including but not limited to tax revenues, charges for services, bond proceeds, interest income, loans and funds received by the City where the City performs a custodial function. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs or other retirement programs.

The City will consolidate cash balances from all funds to maximize investment earnings, (except as otherwise required by covenants in bond ordinances, credit agreements as defined in V.T.C.A., Government Code § 1371.001 or other applicable regulations). Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

#### IV. General Objectives

The primary objectives, in priority order, of the City's investment activities shall be safety, liquidity, and yield:

- A. **Safety** – Safety of the principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to minimize credit risk and interest rate risk.
- i. **Credit Risk and Concentration of Credit Risk** – The City will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, and concentration of credit risk, the risk of loss attributed to the magnitude of investment in a single issuer, by:
- Limiting investments to the safest types of securities,
  - Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the City will do business, and;
  - Diversifying the investment portfolio so that potential losses on individual securities will be minimized.
- ii. **Interest Rate Risk** – The City will manage the risk that the market value of securities in the portfolio will fail due to changes in general interest rates, by:
- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity,
  - Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools, and;
  - Diversify maturities and stagger purchase dates to minimize the impact of market movements over time.
- B. **Liquidity** – The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands. Furthermore, since all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in money market mutual funds or local government investment pools that offer same-day liquidity for short-term funds. Additionally, a portion of the portfolio will consist of securities with active secondary or resale markets.
- C. **Public Trust** – All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers

shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

- D. **Yield** – The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:
- A security with declining credit may be sold early to minimize loss of principal
  - Liquidity needs of the portfolio require that the security be sold

**V. Standards of Care**

- A. **Prudence** - The standard of prudence to be used by investing officials shall be the "**prudent investor**" rule. This rule states that "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The determination of whether an investing official has exercised prudence with respect to an investment decision shall be applied in the context of managing an overall portfolio rather than a consideration as to the prudence of a single investment.

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control unfavorable developments.

- B. **Ethics and Conflicts of Interest** - Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution and management of the investment program, or that could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City any material interests in financial institutions that conduct business with the City. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. (See Exhibit B.)

Furthermore, an investment official who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An investment official who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

- C. **Delegation of Authority** - Authority to manage the City's investment program is granted to the Finance Director, hereinafter referred to as investment officer, and derived from the following: City Charter Article VII, Section 7.01c. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established procedures and internal controls for the operation of the investment program consistent with this investment policy. This policy includes explicit delegation of authority to persons responsible for investment transactions. (See Exhibit A) No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate activities of subordinate officials.
- D. **Training** - Investment officials must complete at least 10 hours of investment training within 12 months of taking office or assuming duties, and shall attend an investment training session not less than once in a two year period and receive not less than 10 hours of instruction relating to investment responsibilities. The City shall provide the training through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of the City's investment personnel making investment decisions in compliance with Public Funds Investment Act (PFIA). Professional organizations and associations that may provide investment training included the Government Treasurer's Organization of Texas, the University of North Texas, the Government Finance Officers Association of Texas, or the Texas Municipal League.
- E. **Internal Controls** - The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (a) the cost of a control should not exceed the benefits likely to be derived and (b) the valuation of costs and benefits requires estimates and judgments by management. Therefore, the Finance Director shall

establish a process for annual independent review by an external auditor during the annual audit to assure compliance with policies and procedures.

## **VI. Safekeeping and Custody**

- A. **Authorized Financial Dealers and Institutions** –The investment officer will maintain a list of financial institutions and security broker/dealers authorized to provide investment services (Exhibit C) to the City. This list shall be reviewed, revised as necessary and adopted at least annually. No public deposit shall be made except in a qualified public depository as established by state laws.

Those firms that request to become qualified bidders for securities transactions will be required to provide 1) a completed broker/dealer questionnaire (Exhibit D) that provides information regarding creditworthiness, experience and reputation, and 2) a certification stating the firm has received, read and understood the Entity's investment policy and agree to comply with the policy. Authorized firms may include primary dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), and qualified depositories. All investment providers, including financial institutions, banks, money market mutual funds, and local government investment pools, must sign a certification acknowledging that the organization has received and reviewed the Entity's investment policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by the Entity's policy.

- B. **Competitive Bids** – The City's policy requires competitive bidding for all individual security purchases and sales except for a) transactions with money market mutual funds and local government investment pools and b) treasury and agency securities purchased at issue through an approved broker/dealer or financial institution.
- C. **Delivery vs. Payment** – All trades with the exception of investment pools and mutual funds will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds. Securities and collateral will be held in the City's name by a third-party custodian as evidenced by safekeeping receipts of the institution with which the securities are deposited.

## **VII. Suitable and Authorized Investments**

- A. **Eligible Investments** – Assets of the City may be invested in the following instruments described below. All of these investments are authorized by the Public Funds Investment Act. Only those instruments listed in this section are authorized.



1. Obligations of the United States of America, its agencies and instrumentalities
  2. Certificates of Deposit issued by a depository institution that has its main office or a branch in Texas. The certificate of deposit must be guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor and secured by obligations in a manner and amount as provided by law. In addition, certificates of deposit obtained through a depository institution which are fully collateralized under a pledge agreement approved by the City are authorized investments.
  3. No-load Money Market Mutual Funds that 1) are registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) seek to maintain a net asset value of \$1.00 per share and 4) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service.
  4. Local Government Investment Pools, authorized by a separate resolution, which meet the requirements of Chapter 2256.016 of the Public Funds Investment Act and are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service.
- B. **Collateralization** – Collateralization will be required on all funds on deposit with a depository bank, other than investments. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be one hundred two percent (102%) of market value of principal and accrued interest on the deposits, less an amount insured by the FDIC.
- Securities pledged as collateral will be held in the City's name by an independent third party with whom the City has a current custodial agreement. The Finance Director is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relation to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least quarterly to assure that the market value of the pledged securities is adequate.
- C. **Existing Investments** – Any investment currently held that does not meet the guidelines of this policy, but were authorized investments at the time of purchase, is not required to be liquidated; however, the City shall take

all prudent measures consistent with this Investment Policy to liquidate an investment that does not or no longer qualifies as an authorized investment.

#### **VIII. Investment Parameters**

- A. **Diversification** – The investments shall be diversified by security type and institution. With the exception of U.S. Treasury securities, Government-sponsored enterprises (GSE's) and authorized pools, the City will diversify the entire portfolio to comply with the investment strategy; however, in no case shall any single investment transaction be more than five-percent (5%) of the entire portfolio at the time of purchase of the security.
- B. **Maximum Maturities** – To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than three (3) years from the date of purchase. The composite portfolio will have a weighted average maturity of 365 days or less. This dollar weighted average maturity will be calculated using the stated final maturity dates of each security.

#### **IX. Investment Strategies**

The City maintains separate portfolios for individual funds or groups of funds that are managed according to the terms of this Policy and the corresponding investment strategies listed in Exhibit E. The investment strategy for portfolios established after the annual Investment Policy review and adoption will be managed in accordance with the terms of this Policy and applicable agreements until the next annual review when a specific strategy will be adopted.

The City maintains a pooled fund group that is an aggregation of the majority of City funds including tax receipts, enterprise fund revenues, fine and fee revenues, as well as some, but not all, bond proceeds, and grants. This portfolio is maintained to meet anticipated daily cash needs for City operations, capital projects and debt service. In order to ensure the ability of the City to meet obligations and to minimize potential liquidation losses, the dollar-weighted average stated maturity of the investment portfolio shall not exceed one (1) year. The objectives of this portfolio are to ensure safety of principal; ensure adequate investment liquidity; limit market and credit risk through diversification; and attain the best feasible yield in accordance with the objectives and restrictions set for in this Policy.

**X. Reporting**

- A. **Methods** – In compliance with the City charter, the investment officer shall prepare an investment report at least monthly, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last month. This management summary will be prepared in a manner consistent with the requirements of Section 2256.023 (Internal Management Reports) of the PFIA, and that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Council.

An independent auditor shall formally review the reports prepared under this section at least annually, and that auditor shall report instances of non-compliance to City Council in the annual audit management letter.

- B. **Performance Standards** – The investment portfolio shall be managed in accordance with the objectives specified in this policy (safety, liquidity, and yield). The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. The investment officer shall determine whether market yields are being achieved by comparing the portfolio market yield to the three (3) month U.S. Treasury Bill, the six (6) month U.S. Treasury Bill and the two (2) year U.S. Treasury Note.
- C. **Marking to Market** – The market value of the portfolio shall be calculated at least monthly and a statement of the market value of the portfolio shall be issued at least monthly. The market value of each investment shall be obtained from a source such as the Wall Street Journal, a reputable brokerage firm or security pricing service and reported on the investment reports.

City of West University Place  
Investment Policy

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**EXHIBIT A**

**City of West University Place  
Authorized Investment Officials**

| Finance Director

Deleted: ¶  
¶  
Rhonda Daugherty, CPA,

| Treasurer

Deleted: Renea Dobbs,

| Controller



**EXHIBIT C**

**City of West University Place  
Approved Broker/Dealers, Financial Institutions and Investment Pools**

Broker/Dealers

Coastal Securities

~~Hilltop Securities (formerly "First Southwest Company")~~

**Deleted:** First Southwest Company

Public Depositories

JP Morgan Chase, NA (Primary)

Investment Pools

TexPool

**EXHIBIT D**

**City of West University Place  
Certification by Business Organization**

(date)

City of West University Place, Texas  
(Attn: Designated Investment official)  
3800 University Blvd.  
West University Place, TX 77005

Dear Mr/s. (investment official):

This certification is executed on behalf of the City of West University Place, Texas (the Investor) and \_\_\_\_\_ (the Business Organization), pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the Act) in connection with investment transactions conducted between the Investor and Business Organization.

The undersigned Registered Principal of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Registered Principal of the Business Organization offering to enter an investment transaction with the Investor (Note: as such terms are used in the Public Funds Investment Act, chapter 2256, Texas Local Government Code) and;
2. The Registered Principal of the Business Organization has received and reviewed the Investment Policy furnished by the Investor and;
3. The Registered Principal of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the Investor that are not authorized by the Investor's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the investor's entire portfolio or requires and interpretation of the subjective investment standards.

**Registered Principal**

**Broker Assigned to the Account**

Signed By: \_\_\_\_\_

\_\_\_\_\_

Printed Name \_\_\_\_\_

\_\_\_\_\_

Title \_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

**EXHIBIT E**

**INVESTMENT STRATEGY**

The City of West University's investment portfolio will be designed and managed to ensure that it will meet all the requirements established by the City of West University's investment policy and the Public Funds Investment Act. The overall investment strategy outlined in the investment policy has been further refined in this investment strategy statement by the following fund types.

**Operating Funds:**

Operating Funds generally have greater cash flow needs than other funds types. The operating fund portfolio may consist of any approved investment type with the understanding that the financial requirements of the operating funds will dictate the maturity dates of the investment. At utmost importance is the preservation and safety of the investment principal.

Additionally each investment will be viewed for its liquidity and marketability of the investment if the need arises to liquidate the investment before maturity. The final determining factors for the investment strategy will be the diversification of the investment portfolio and the yield of the investment.

To achieve short-term needs of one (1) to one hundred and eighty (180) days, funds will be invested in approved investment pools. For longer-term needs of six (6) months to five (5) years, funds will be invested in approved investments with objectives prioritized as follows:

- 1) understanding the suitability of the investment to the financial requirements of the City of West University Place;
- 2) preservation and safety of principal;
- 3) liquidity;
- 4) marketability of the investment if the need arises to liquidate the investment before maturity;
- 5) diversification of the investment portfolio; and
- 6) yield.



## **INVESTMENT STRATEGY (Continued)**

### **Debt Service Funds:**

The debt service requirements are usually semi-annual, thus allowing the investment strategy to mirror debt obligation payment dates. The strategy for debt service funds allows greater flexibility since the actual requirements are known into the future. Investments will still meet the adopted policies; however, planning maturity dates to match debt requirement dates will be the primary objective.

The investment instruments will be primarily in approved investment types with maturities at six or twelve months established to match debt requirement dates. Shorter-term investment may be used to meet these objectives and longer-term investments may be used when fund balance reserves exceed one year's debt service requirements.

To achieve this strategy the following objectives are prioritized to evaluate investment opportunities:

- 1) understanding the suitability of the investment to the financial requirements of the City of West University Place;
- 2) preservation and safety of principal;
- 3) yield;
- 4) marketability of the investment if the need arises to liquidate the investment before maturity;
- 5) diversification of the investment portfolio; and
- 6) liquidity.

## **INVESTMENT STRATEGY (Continued)**

### **Capital Improvement Funds:**

Bond proceeds can be invested over the life of the project; however, the exact disbursement of the funds is not always known. The investment objective of the capital improvement funds is to schedule maturities to maximize investment earnings while preserving principle. The key to an effective strategy is to be aware of the project needs and match maturities to the period funds are needed.

The investment objective for capital projects funds is still to match investment maturities with funding needs. As short-term needs are recognized investment maturities will be moved into approved investment pools to meet financial requirements. Longer-term needs will be invested with the following objectives as prioritized for capital improvement funds:

- 1) understanding the suitability of the investment to the financial requirements of the City of West University Place;
- 2) preservation and safety of principal;
- 3) diversification of the investment portfolio;
- 4) yield;
- 5) liquidity; and
- 6) marketability of the investment if the need arises to liquidate the investment before maturity.

## **INVESTMENT STRATEGY (Continued)**

### **Reserve Funds:**

Certain reserve funds have been established as required by bond covenants. The investment objective is to invest reserve funds to the extent that maturities are established to the limit of the investment policy or to the end of the bond requirements whichever is shorter.

The overall investment strategy for reserve funds will not rely on investment pools; however, the use of pools is not prohibited. Longer-term investment objectives are prioritized as follows:

- 1) understanding the suitability of the investment to the financial requirements of the City of West University Place;
- 2) diversification of the investment portfolio;
- 3) preservation and safety of principal;
- 4) yield;
- 5) liquidity; and
- 6) marketability of the investment if the need arises to liquidate the investment before maturity.